

3721
PATENT
Dfw**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Dominick L. Mastri et al.

Docket: 1695 CIP CON 3
(203-1544 CIP CON III)

Serial No.: 09/625,886

Examiner: Scott A. Smith

Filed: July 26, 2000

Group Art Unit: 3721

For: **SURGICAL STAPLER**

Dated: August 13, 2004

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to Applicant's continuing duty of disclosure, it is respectfully requested that the disclosures cited in the annexed Form PTO-1449 be considered by the Examiner and made of record in the above-identified application.

A copy of each of the patents cited in the attached Form PTO-1449 is provided herewith. An abstract in English has been provided for each non-English document except the documents from the U.S.S.R. U.S.S.R. document Nos. 990,220 and 980,703 illustrate instruments having articulating tool assemblies or operating members. U.S.S.R. document No. 728,848 appears to illustrate a linear stapling device and U.S.S.R. document No. 659,146 appears to illustrate a circular stapling device.

The citation of the listed items is not a representation that they constitute a

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 13, 2004.

Dated: August 13, 2004
Christopher G. Trainor

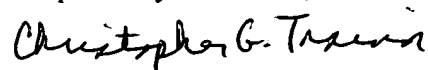
complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this Information Disclosure Statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



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Form PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,264,086	7/24/2001	McGuckin, Jr.			
	6,250,532	6/26/2001	Green et al.			
	6,032,849	3/7/2000	Mastri et al.			
	6,004,335	12/21/1999	Vaitekunas et al.			
	5,954,259	9/21/1999	Viola et al.			
	5,918,791	7/6/1999	Sorrentino et al.			
	5,901,895	5/11/1999	Heaton et al.			
	5,897,562	4/27/1999	Bolanos et al.			
	5,871,135	2/16/1999	Williamson IV et al.			
	5,862,972	1/26/1999	Green et al.			
	5,833,695	11/10/1998	Yoon			
	5,829,662	11/3/1998	Allen et al.			
	5,826,776	10/27/1998	Schulze et al.			
	5,817,109	10/6/1998	McGarry et al.			
	5,816,471	10/6/1998	Plyley et al.			
	5,810,855	9/22/1998	Rayburn et al.			
	5,810,811	9/22/1998	Yates et al.			
	5,797,538	8/25/1998	Heaton et al.			
	5,797,536	8/25/1998	Smith et al.			
	5,782,397	7/21/1998	Koukline			
	5,782,396	7/21/1998	Mastri et al.			
	5,762,256	6/9/1998	Mastri et al.			
	5,762,255	6/9/1998	Chrisman et al.			
	5,752,644	5/19/1998	Bolanos et al.			

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	5,749,893	5/12/1998	Vidal et al.			
	5,743,456	4/28/1998	Jones et al.			
	5,735,848	4/7/1998	Yates et al.			
	5,728,110	3/17/1998	Vidal et al.			
	5,716,366	2/10/1998	Yates			
	5,711,472	1/27/1998	Bryan			
	5,709,334	1/20/1998	Sorrentino et al.			
	5,692,668	12/2/1997	Schulze et al.			
	5,680,982	10/28/1997	Schulze et al.			
	5,676,674	10/14/1997	Bolanos et al.			
	5,673,841	10/7/1997	Schulze et al.			
	5,673,840	10/7/1997	Schulze et al.			
	5,669,544	9/23/1997	Schulze et al.			
	5,667,517	9/16/1997	Hooven			
	5,662,662	9/2/1997	Bishop et al.			
	5,662,260	9/2/1997	Yoon			
	5,662,259	9/2/1997	Yoon			
	5,662,258	9/2/1997	Knodel et al.			
	5,658,300	8/19/1997	Bito et al.			
	5,655,698	8/12/1997	Yoon			
	5,647,526	7/15/1997	Green et al.			
	5,645,209	7/8/1997	Green et al.			

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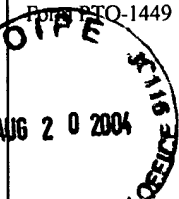
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,636,780	6/10/1997	Green et al.			
	5,634,584	6/3/1997	Okorochoa et al.			
	5,632,432	5/27/1997	Schulze et al.			
	5,630,541	5/20/1997	Williamson, IV et al.			
	5,630,540	5/20/1997	Blewett			
	5,630,539	5/20/1997	Plyley et al.			
	5,628,446	5/13/1997	Geiste et al.			
	5,626,587	5/6/1997	Bishop et al.			
	5,624,452	4/29/1997	Yates			
	5,579,107	1/28/1997	Knodel et al.			
	5,588,581	12/31/1996	Conlon et al.			
	5,588,580	12/31/1996	Paul et al.			
	5,586,711	12/24/1996	Plyley et al.			
	5,577,654	11/26/1996	Bishop			
	5,573,543	11/12/1996	Akopov et al.			
	5,564,615	10/15/1996	Bishop et al.			
	5,562,682	10/8/1996	Oberlin et al.			
	5,562,241	10/8/1996	Knodel et al.			
	5,562,239	10/8/1996	Boiarski et al.			
	5,553,765	9/10/1996	Knodel et al.			
	5,551,622	9/3/1996	Yoon			
	5,535,937	7/16/1996	Boiarski et al.			
	5,535,934	7/16/1996	Boiarski et al.			
	5,531,744	7/2/1996	Nardella et al.			

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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,529,235	6/25/1996	Boiarski et al.			
	5,518,164	5/21/1996	Hooven			
	5,518,163	5/21/1996	Hooven			
	5,489,058	2/6/1996	Plyley et al.			
	5,487,500	1/30/1996	Knodel et al.			
	5,485,947	1/23/1996	Olson et al.			
	5,484,451	1/16/1996	Akopov et al.			
	5,474,566	12/12/1995	Alesi et al.			
	5,470,010	11/28/1995	Rothfuss et al.			
	5,470,007	11/28/1995	Plyley et al.			
	5,467,911	11/21/1995	Tsuruta et al.			
	5,465,895	11/14/1995	Knodel et al.			
	5,464,300	11/7/1995	Crainich			
	5,452,837	9/26/1995	Williamson, IV et al.			
	5,447,265	9/5/1995	Vidal et al.			
	5,433,721	7/18/1995	Hooven et al.			
	5,431,323	7/11/1995	Smith et al.			
	5,417,361	5/23/1995	Williamson, IV			
	5,407,293	4/18/1995	Crainich			
	5,397,324	3/14/1995	Carroll et al.			
	5,395,034	3/7/1995	Allen et al.			
	5,395,033	3/7/1995	Byrne et al.			

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U.S. PATENT DOCUMENTS

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		5,383,880	1/24/1995	Hooven			
		5,381,943	1/17/1995	Allen et al.			
		5,364,003	11/15/1994	Williamson, IV			
		5,170,925	12/15/1992	Madden et al.			
		4,784,137	11/15/1998	Kulik et al.			
		4,728,020	3/1/1988	Green et al.			
		4,703,887	11/3/1987	Clanton et al.			
		4,671,445	6/9/1987	Barker et al.			
		4,602,634	7/29/1986	Barkley			
		4,505,414	3/19/1995	Filipi			
		4,086,926	5/2/1978	Green et al.			

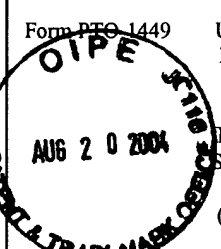
FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		0666057	8/1995	EPO				
		0593920	4/1994	EPO				
		0140552	5/1985	EPO				
		0324635	7/1989	EPO				
		89/10094	11/1989	WO				
		0156774	10/1985	EPO				
		0216532	4/1987	EPO				
		0536903	4/1993	EPO				
		0552050	7/1993	EPO				
		0598579	5/1994	EPO				
		0621006	10/1994	EPO				

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		2660851	10/1991	France				
		3114135	10/1982	Germany				
		4213426	10/1992	Germany				
		51-149985	5/1975	Japan				
		659146	4/1979	U.S.S.R.				
		9308754	5/1993	WIPO				
		9314706	8/1993	WIPO				
		0592243	4/1994	EPO				
		0621009	10/1994	EPO				
		2681775	10/1991	France				
		4300307	7/1994	Germany				
		980703	12/1982	Russian Federation				
		990220	1/1983	Russian Federation				
		5476586	9/1986	Australia				
		0136950	4/1985	EPO				
		0220029	4/1987	EPO				
		0213817	11/1987	EPO				
		0273468	7/1988	EPO				
		0324638	7/1989	EPO				
		0373762	6/1990	EPO				
		0380025	8/1990	EPO				
		0449394	10/1991	EPO				
		0489436	6/1992	EPO				

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		4213426	10/1992	Germany				
		659146	4/1979	U.S.S.R.				
		9308754	5/1993	WIPO				
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							YES	NO
		0503662	9/1992	EPO				
		0514139	11/1992	EPO				
		0537572	4/1993	EPO				
		0539762	5/1993	EPO				
		0545029	6/1993	EPO				
		0579038	1/1994	EPO				
		0593920	4/1994	EPO				
		0598202	5/1994	EPO				
		0365153	8/1995	EPO				
		2542188	9/1984	France				
		0119846	1/1959	U.S.S.R.				
		1555455	11/1979	United Kingdom				
		2070499	9/1981	United Kingdom				
		2141066	12/1984	United Kingdom				
		WO9210976	7/1992	WIPO				
		WO8302247	7/1993	WIPO				
		0324637	7/1989	EPO				
		0041022	12/1981	EPO				
		0324166	7/1989	EPO				
		0324637	7/1989	EPO				
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		0369324	5/1990	EPO				

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